

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARIA ROSE FIORENZA,

Plaintiff,

v.

FREMONT INVESTMENT &
LOAN, HSBC BANK USA,
NATIONAL ASSOCIATION,
AS TRUSTEE FOR NOMURA
HOME EQUITY LOAN, INC.
ASSET-BACKED CERTIFICATES,
SERIES 2006-FM2 and GRACE
M. PELLEGRINO, D/B/A GMP
FINANCIAL SERVICES,

Defendant(s).
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SCHEDULING ORDER

Civil Action No.: 858/08 (SAS)

Conference Date: 4-16-08

4/17/08

WHEREAS, the Court issued an Order for a Conference in accordance with Fed. R. Civ. P.
16(b) on _____ (“the “Order”); and

WHEREAS, the Order requires that the parties jointly prepare and sign a proposed
scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as required by
the Order:

(1) The conference is scheduled for April 16, 2008, at 4:30 P.M. David M. Harrison, Esq.
appears on behalf of the plaintiff, Maria Rose Fiorenza. Knuckles & Komosinski, P.C.

Kenneth Flickinger, Esq., appears on behalf of the defendants Fremont Investment & Loan and

HSBC Bank USA, National Association as Trustee for Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2006-FM2. Steven W. Stutman, Esq. appears on behalf of defendant Grace M. Pellegrino, d/b/a/ GMP Financial Services.

(2) Plaintiff claims judicial enforcement of her rescission of the subject refinance mortgage loan rendered by defendant, Fremont Investment & Loan, on May 11, 2006; and secured by plaintiff's residential premises, located at 1336 Gillespie Avenue, Bronx, New York (with the subject loan having been thereafter assigned to defendant HSBC Bank USA, National Association as Trustee for Nomura Home Equity Loan, Inc. Asset-Backed Certificates, Series 2006-FM2). Plaintiff makes claim for rescission of the subject loan, as well as money damages, by reason of said defendants' violation of the Federal Truth In Lending Act. Plaintiff also makes claim for money damages against all defendants, by reason of defendants' violation of the New York State Deceptive Acts and Practices Statute, as codified by Section 349 of the General Business law of New York State. Plaintiff also makes claim for money damages, by reason of alleged fraud to have been perpetrated upon plaintiff by defendants herein, in connection with the subject mortgage transaction.

(3) (a) Depositions of the named parties herein, are to be conducted by **September 15, 2008**.

(b) All parties to exchange interrogatories and demands for production of documents by **June 15, 2008**.

(c) All parties to exchange expert reports to be supplied to the other side by **October 29, 2008**. Depositions of such experts to be completed by **December 15, 2008**.

(d) All discovery on this matter to be completed by December 31, 2008.

(e) Plaintiff to supply its pre-trial order matters to defendant on or before January 15, 2009.

(f) The parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial, by February 15, 2009.

(g) All parties to appear for a pre-trial conference, pursuant to Fed R. Civ P. 16(d), on _____.

(4) A statement of any limitations to be placed on discovery, including any protective or confidentiality orders: None at this time.

(5) A statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement: None at this time.

(6) Anticipated fields of expert testimony, if any: All parties reserve the right to retain experts concerning the claims alleged in this matter at a future date.

(7) Anticipated length of trial and whether to court or jury: Plaintiff has requested the right to a jury trial. The anticipated length of trial is 7 days.

(8) The Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

Dated:




DAVID M. HARRISON, ESQ.

Attorney for the Plaintiff
Maria Rose Fiorenza
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Brooklyn, NY 11201
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KENNETH FLICKINGER, ESQ.
KNUCKLES & KOMOSINSKI, P.C.

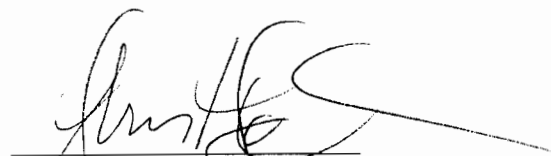
Attorneys for the Defendants
Fremont Investment & Loan
HSBC Bank USA, National
Association, as Trustee for
Nomura Home Equity Loan, Inc.
Asset Backed Certificates
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STEVEN W. STUTMAN, ESQ.

Attorney for the Defendant
Grace M. Pellegrino, d/b/a
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500 Old Country Road
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(516) 408-7320

SO ORDERED:



SHIRA A. SCHEINDLIN
U.S.D.J.

4/16/08